

# **EXHIBIT B**

## **Part 3**

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Leila Green Little, et §  
al., §  
§ Civil Action No.  
Plaintiffs, § 1:22-cv-00424-RP  
§  
v. §  
§  
Llano County, et al., §  
§  
Defendants. §

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REMOTE ORAL AND VIDEOTAPED DEPOSITION OF  
JERRY DON MOSS  
June 28, 2022

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REMOTE ORAL AND VIDEOTAPED DEPOSITION OF  
JERRY DON MOSS, located in the Law Library, Llano  
County Courthouse, 801 Ford Street Llano, Texas,  
produced as a witness at the instance of the  
Plaintiffs, and duly sworn, taken in the above-styled  
and numbered cause on June 28, 2022, from 1:31 p.m. to  
4:18 p.m., before Joseph D. Hendrick, Certified  
Shorthand Reporter in and for the State of Texas,  
reported by machine shorthand, pursuant to Notice and  
the Federal Rules of Civil Procedure and any provisions  
stated on the record or attached hereto.

Job No. 5299892

A P P E A R A N C E S  
(All Appearing Remotely Via Zoom)

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P R O C E E D I N G S

(June 28, 2022 - 1:31 p.m.)

- - -

THE VIDEOGRAPHER: We are going on the  
record at 1:31 p.m.

My name is Norm Harris representing  
Veritext.

The date today is June the 28th, 2022.

This deposition is being conducted remotely  
using virtual technology and is being taken by counsel  
for the plaintiff.

The caption of the case is Leila Green  
Little, et al., versus Llano County, et al.

This case is filed in the United States  
District Court, Western District of Texas, Austin  
Division, Case Number 1:22-cv-00424-RP.

The name of the witness is Jerry Don Moss.  
Attorneys, please state your appearance as  
well as your location.

MS. LEONIDA: This is Ellen Leonida for  
plaintiffs, and I am in San Francisco, California.

MR. ROGERS: Dwain Rogers, Llano County  
Attorney for the County and Commissioner Moss, and I am  
in Llano, Texas.

1 MR. MITCHELL: Jonathan Mitchell, counsel  
2 for the County and Commissioner Moss, from Mitchell  
3 Law, PLLC. I am in Austin, Texas.

4 THE VIDEOGRAPHER: Okay. Our court  
5 reporter will swear in the witness.

6 THE REPORTER: Would you raise your right  
7 hand, please.

8 THE WITNESS: (Complied)

9 THE REPORTER: Do you swear or affirm that  
10 the testimony you are about to give in this case will  
11 be the truth, the whole truth, and nothing but the  
12 truth, so help you God?

13 THE WITNESS: I do.

14 JERRY DON MOSS

15 having been duly sworn, testified as follows:

16 EXAMINATION

17 BY MS. LEONIDA:

18 Q. Good afternoon, Mr. Moss.

19 A. Good afternoon. How are you?

20 Q. I'm well. How are you?

21 A. Good.

22 Q. Have you ever been deposed before?

23 A. No, ma'am.

24 Q. Have you ever had to testify about  
25 anything?

1 A. No, ma'am.

2 Q. Okay. Then I'm just going to go over the  
3 rules a little bit so that we are on the same page  
4 about how these proceedings are going to go.

5 A. Okay.

6 Q. So, the first thing is that there is a  
7 court reporter who is taking down everything that we  
8 say. That means, first, that we have to answer in  
9 words instead of shrugging or making faces like we  
10 sometimes do in life; so just make sure you say yes or  
11 no instead of shaking your head.

12 A. Yes, ma'am.

13 Q. And the other thing is that we can't really  
14 talk over each other because then the reporter doesn't  
15 know what to write down. So I'll do my best not to  
16 interrupt you, and I trust that you will do the same.

17 A. Yes, ma'am.

18 Q. You are represented by an attorney here,  
19 Mr. Rogers, so he is going to be objecting sometimes.  
20 If he objects, you still have to answer the question  
21 unless he tells you not to. Does that make sense?

22 A. Yes, ma'am.

23 Q. Some of the questions that I ask you, you  
24 are not going to know the answers to and that's totally  
25 fine. Just make sure that you don't -- that you don't

1 guess or say something just because you think I want to  
2 hear it. Okay?

3 A. Yes, ma'am.

4 Q. You can make an estimate if I ask for an  
5 estimate, but don't say something that you don't know  
6 is true.

7 A. Don't worry.

8 Q. We can take breaks during the course of  
9 this deposition. So, if you need some water, or  
10 something else comes up, just let me know. The only  
11 thing is we are not going to take a break while a  
12 question is pending; so, if I ask a question, you can  
13 answer and then take a break. I'm just going to ask  
14 you not to take a break between question and answer.  
15 Okay?

16 A. Yes, ma'am.

17 Q. And finally, is there any reason that you  
18 can't give your best testimony today, any, like,  
19 illness, or anything on your mind?

20 A. No, ma'am.

21 Q. Okay. You are in the law library; is that  
22 right?

23 A. Yes, ma'am.

24 Q. Is there anybody in there with you?

25 A. No, ma'am.

1 Q. Do you have a phone or an email, any kind  
2 of messaging app that you have access to right now?

3 A. I have a phone.

4 Q. Would you mind turning it off until the  
5 deposition is over?

6 A. Yes, ma'am. But -- but if I have an issue,  
7 the secretary -- the judge's secretary will have to  
8 come in here and help me, so then I will contact her.

9 Q. Okay. That's fine.

10 A. The -- she also told me that you may be  
11 giving some -- showing some exhibits?

12 Q. Yes.

13 A. I'm not -- if that doesn't work on my  
14 computer, I can just cut my phone back on and look at  
15 them I guess if that's okay.

16 Q. That's fine. Just let me know if that  
17 happens. I'm going to try to be showing them on this  
18 screen, so they should pop up on the screen in front of  
19 you.

20 A. Okay. Yes, ma'am.

21 Q. So, Mr. Moss, can you tell me what you did  
22 to get ready for this deposition today?

23 A. I didn't sleep very much. But I talked to  
24 our County Attorney, with Dwain Rogers a little bit,  
25 and another attorney --

1 MR. ROGERS: Before we go any further on  
2 that, I will object to any content of the conversations  
3 as attorney-client privilege. But go ahead,  
4 Commissioner.

5 A. That's it.

6 BY MS. LEONIDA:

7 Q. Okay. So we're not -- and I don't want you  
8 to say what you talked to your attorneys about because  
9 that's privileged, but did you talk to anybody else,  
10 without telling me the content of those conversations.

11 A. What did you say?

12 Q. Did you talk to -- I'm not asking you to  
13 tell me what you talked to your attorney about, but,  
14 other than Mr. Rogers, is there anybody else that you  
15 talked to to get ready for today?

16 A. A preacher.

17 Q. Okay. I won't ask you what you talked to  
18 him about either.

19 You are a commissioner on the Llano County  
20 Commissioners Court; is that right?

21 A. Yes, ma'am.

22 Q. How long have you been a commissioner?

23 A. I guess 15 years. Not "I guess." It is 15  
24 years.

25 Q. What does the Commissioners Court do?

1           A.       Depends on what time of year. Sometimes we  
2 deal with budgets. We work with all our department  
3 heads or elected officials on any issues they may have  
4 or budget items they may need or equipment they may  
5 need, operating supplies. Me specific, I have half of  
6 the county in my precinct, so we have a lot of county  
7 roads that my crew oversees and I work with them on  
8 them roads, on the road issues.

9           Q.       The Commissioners Court also supervises the  
10 library; is that right?

11          A.       That's -- no. No, ma'am, that's not  
12 correct.

13          Q.       What's the relationship between the  
14 Commissioners Court and the library?

15          A.       The -- I said while ago the library -- we  
16 work with department heads and elected officials, so  
17 any issues that may come before the -- a department or  
18 any other elected official office, they come to  
19 Commissioners Court.

20          Q.       Commissioners Court also selects the head  
21 librarian; isn't that right?

22          A.       Yes, ma'am. That -- wrong. That -- sorry.  
23 That's not correct. The Library Director.

24          Q.       Okay. Who is the Library Director right  
25 now?



1 A. Amber Milum.

2 Q. And the Commissioners Court hired or  
3 selected Ms. Milum to be the Library Director?

4 A. Yes, ma'am.

5 Q. I am going to show you what is going to be  
6 marked as Exhibit 15. Do you recognize the document  
7 that's on the screen in front of you?

8 A. It said it's a Library System Policies, but  
9 I don't look at that on a daily basis. I'm not sure.

10 Q. Okay. I am going to scroll through this  
11 and see if you recognize it and then I am going to ask  
12 you some questions about it.

13 A. You're sure scrolling awful fast.

14 Q. I can slow down. So, you know, let me --  
15 let me ask you about it this way:

16 You, earlier this year, you sent a copy of  
17 the Llano County Library System Policies to Rochelle  
18 Wells, right?

19 A. I don't know if I did or not. I don't  
20 remember that.

21 Q. Okay. You are aware that the Llano County  
22 Library System has policies in place, right?

23 A. Yes, ma'am. Yes, ma'am.

24 Q. Do you know when those policies were  
25 adopted?

1           A.       I don't know when they've been updated.  
2       They may have been adopted in 2006.

3           Q.       Okay. So if you can turn your attention to  
4       the screen again, I am going to scroll a little more  
5       slowly. So, this is the table of contents. I'm on  
6       page 2 of the document here. This Llano County Library  
7       System Constitution and By-Laws, does that look  
8       familiar to you?

9           A.       Again, I don't look at this daily. That  
10      looks like our policy, library policy.

11          Q.       Okay. And over here, page 5 of this  
12      exhibit, do you recognize those signatures, or do you  
13      recognize the names under the signatures?

14          A.       I do.

15          Q.       Are those Llano County Commissioners?

16          A.       Not anymore.

17          Q.       Were those Llano County -- Llano County  
18      Commissioners in 2006?

19          A.       I believe so.

20          Q.       Page 5 of this exhibit is the Llano County  
21      Commissioners adopting the -- this Library Policy that  
22      we've been looking at; is that right?

23          A.       I don't know. I don't see page 5.

24          Q.       I'm talking about page 5 up here  
25      (indicating) of the entire document. But we can --

1 A. Okay.

2 Q. Let's go back to the -- I want you to be  
3 sure about this. So --

4 A. I understand.

5 Q. So, so here we have Llano County Library  
6 System Constitution and By-Laws, right?

7 A. That's what it says.

8 Q. Okay. And then after that is another page  
9 that continues with the Constitution and By-Laws,  
10 right?

11 A. It looks to be, yes.

12 Q. And then the page after that is the  
13 signature page that we have been talking about where  
14 the Commissioners Court adopts the Constitution and  
15 By-Laws, right?

16 A. Yes.

17 Q. So, among the policies that Llano County  
18 has are policies about what can be displayed in a  
19 library, right?

20 A. Can you speak up?

21 Q. Sure. Among the policies that Llano County  
22 has are policies about what can be displayed in a  
23 library; is that right?

24 A. I -- I don't know. Will you repeat that,  
25 please?

1 Q. Sure. Llano County has policies about what  
2 can be displayed in a library; is that correct?

3 A. That's what that says, I believe. It talks  
4 about the displays in the library.

5 Q. Okay. Do you have any reason to believe  
6 that this document you are looking at is not actually  
7 what it purports to be, the Llano County Library System  
8 policy about displays and exhibits?

9 A. No.

10 Q. So, Llano County Library System also has a  
11 policy about selecting materials to be included in the  
12 library, correct?

13 A. And that's the paper you are talking about  
14 on page 23?

15 Q. I'm asking you, do you have any reason to  
16 believe that this document at page 23 where it says  
17 Materials Selection Policy and on the bottom there it  
18 says August 14, 2006, isn't this the Llano County  
19 Library System's Materials Selection Policy?

20 A. It says it is.

21 Q. Do you have any reason to think that it's  
22 not?

23 A. No.

24 Q. Now, on page 25 of this document - which is  
25 Exhibit 15 - is Llano County Library System's Meeting

1 Room Policy that says, "Approved 10.10.17 Llano County  
2 Commissioners Court," do you see that?

3 A. Yes, I do.

4 Q. You were a member of the Commissioners  
5 Court in 2017, right?

6 A. Yes, ma'am.

7 Q. So you were one of the Commissioners that  
8 adopted this meeting room policy, right?

9 A. Yes, ma'am.

10 Q. And this is the currently active meeting  
11 room policy for the Llano County Library, correct?

12 A. As far as I know.

13 Q. Among the county librarian's duties are  
14 selecting books for the library, right?

15 A. I think so, yes.

16 Q. And, I'm sorry, I called Ms. Milum the head  
17 librarian and you called her something else. What?

18 A. She's the Library Director.

19 Q. Library Director. Okay. So, when the --  
20 when the Library Director -- let me go back.

21 The Library Director's job is to select  
22 books for the libraries, right?

23 A. Yes.

24 Q. And part of what the Constitution and  
25 By-Laws say is that the Library Director does that

1 subject to general rules adopted by the Commissioners  
2 Court, correct?

3 A. Would you repeat that?

4 Q. Sure. Part of what the Llano County  
5 Library Constitution and By-Laws say is that the County  
6 Librarian, when that person chooses books, they do it  
7 subject to the general rules adopted by the  
8 Commissioners Court?

9 A. I don't know that we have a constitution  
10 for the library, but the --

11 Q. Okay, well the -- sorry. You finish.

12 A. No, go ahead.

13 Q. No. It was -- it was my rule not to  
14 interrupt, and I interrupted you, for which I'm sorry.  
15 So just go ahead and finish your thought.

16 A. The -- I believe the -- the by-laws say  
17 that, yes, ma'am.

18 Q. Okay. The by-laws also say that the County  
19 Librarian, when that person selects books, should do it  
20 according to accepted rules of library management,  
21 right?

22 A. I don't know word for word what those --  
23 what the by-laws say without reading. We have a lot of  
24 policies in the county.

25 Q. Okay.

1 A. As far as I know, that is correct.

2 Q. The Commissioners don't pick books for the  
3 library, do they?

4 A. No, ma'am.

5 Q. Have you ever gone to the library and told  
6 any librarian what books to select for the library  
7 collection?

8 A. Repeat that, please?

9 Q. Have you ever gone -- have you ever told  
10 the librarian what books to put in the library  
11 collection?

12 A. No, ma'am.

13 Q. When you have Commissioners Court meetings,  
14 do you make lists of books that you think the library  
15 should buy?

16 A. No.

17 Q. When you have Commissioners Court meetings,  
18 is there ever a time that the citizens of Llano come to  
19 you and say, "We want you to buy this list of books and  
20 make sure it's in the library," has that ever happened?

21 A. Repeat that, please?

22 Q. Has a citizen of Llano ever come to a  
23 Commissioners Court meeting and asked you to buy  
24 certain books for the library?

25 A. "Ever" is a long time, but -- I don't --

1 Q. Only in your -- go ahead.

2 A. I don't think so.

3 Q. Okay. In your time as a Commissioner, do  
4 you remember any Commissioner ever telling the  
5 Librarian to buy certain books for the library?

6 A. No.

7 Q. Would it be fair to say that's because the  
8 county commissioner trusts the librarian to make  
9 decisions about what books to stock based on what the  
10 by-laws say?

11 MR. ROGERS: Object to the extent that it  
12 calls for speculation on the mind of other  
13 commissioners. But go ahead and answer it.

14 A. Would you repeat?

15 BY MS. LEONIDA:

16 Q. Sure. Would it be fair to say that the  
17 commissioners don't tell the librarian what books to  
18 buy because the commissioners trust the librarian to  
19 select books based on the parameters of the by-laws?

20 A. The commissioners do not. I -- I don't  
21 know what the other commissioners think. I do not tell  
22 the librarian what books to buy.

23 Q. Okay. The Commissioners Court also selects  
24 the library board; is that right?

25 A. We have a Library Advisory Board.



1 Q. Do you have any other kind of library  
2 board?

3 A. The -- the -- not appointed by the county.

4 Q. Okay. How long has the Library Advisory  
5 Board existed?

6 A. Longer than me, I think.

7 Q. Was it always called the Library Advisory  
8 Board?

9 A. I think so.

10 Q. How are people appointed to that board?

11 A. By the Commissioners Court.

12 Q. What are the criteria that the  
13 Commissioners Court evaluates before appointing  
14 somebody to the Library Advisory Board?

15 A. I -- I don't think there is a criteria.

16 Q. So, how do you personally pick somebody for  
17 that board?

18 A. As with -- as with any board, it would be  
19 interest, people that have interest in that thing.  
20 Some people have interest -- interest in libraries and  
21 some don't.

22 Q. Is anybody with interest allowed to serve  
23 on the Library Advisory Board, or is there a limited  
24 number of seats?

25 A. There is a limited number.

1 Q. So how do you decide between people if  
2 there are more people that want to be on the board than  
3 there are seats?

4 A. I don't know about the others,  
5 commissioners; I appointed the -- pretty much the first  
6 four, with the exception of one.

7 Q. The first four?

8 A. The first four volunteers.

9 Q. Okay. And what was the one exception?

10 A. A lady that was on there before, then her  
11 term had expired.

12 Q. What was her name?

13 A. Jeanne Puryear.

14 Q. What does the Library Advisory Board do?

15 A. They're supposed to oversee policies and  
16 update policies throughout the library, for the library  
17 system.

18 Q. Are they also supposed to advise the  
19 Commissioners Court?

20 A. Yes, ma'am, on policies and things.

21 Q. So the Library Advisory Board advises the  
22 Commissioners Court about the library, right?

23 A. Yes.

24 Q. And the Commissioners Court makes decisions  
25 about hiring the head librarian, correct?

1 A. Yes, it's the Library Director.

2 Q. Library Director. I'm sorry. The  
3 Commissioners Court also has the authority to fire the  
4 Library Director, right?

5 A. I guess so.

6 Q. And the Commissioners Court sometimes tells  
7 the Library Director what to do; isn't that right?

8 A. That's a -- that's kind of a tricky  
9 question, a tough question. Yes and no. When she  
10 needs help, when she needs something on it, that goes  
11 on the Commissioners Court agenda.

12 Q. And is that the only time that the  
13 commissioners tell the Library Director what to do,  
14 when she asks for help?

15 A. Once again, you keep saying commissioners.  
16 I don't know what the other commissioners do on a daily  
17 basis, but that's what I -- that's the only time I  
18 would.

19 Q. Let me take you back to August of 2021. Do  
20 you remember being involved in a -- in a conversation  
21 about books that people were calling the "butt books"?

22 A. In August of '21? I -- I don't know dates.

23 Q. Okay. Do you remember the --

24 A. I don't remember the -- I don't remember  
25 the dates. I'm sorry.

1 Q. That's fine. Do you remember ever talking  
2 to Ms. Milum about books that people were calling "butt  
3 books"?

4 A. Yes, ma'am.

5 Q. Why did you start talking to her about  
6 those books?

7 A. Well, as a commissioner, you get lots of  
8 calls and complaints about things, roads, everything,  
9 budget, taxes, everything, and -- and I had gotten some  
10 complaints from constituents about certain books, butt  
11 books.

12 Q. What were those complaints?

13 A. That they were inappropriate for children's  
14 section of the library.

15 Q. What do you mean by inappropriate?

16 A. I didn't make the complaint, so there --  
17 I'm -- I'm -- I guess I'm guessing there. There is --  
18 their -- their meaning for inappropriate is that they  
19 were showing nude pictures, animated nude pictures, and  
20 I guess that's it.

21 Q. Which constituents complained to you about  
22 these books?

23 A. There was probably more than I can  
24 remember. There was -- remember, I get complaints  
25 about everything. I think Rochelle Wells may have been

1 one. Maybe Eva Carter may have been one. I -- I don't  
2 know -- I -- I'm kind of guessing on -- on other people  
3 that have made those complaints or, you know, those  
4 inquiries or whatever you want to call it.

5 Q. Okay. We don't want you to guess. At some  
6 point after receiving the complaints, you went down to  
7 the library and actually got the butt books or at least  
8 one of the butt books from Ms. Milum, right?

9 A. I didn't get it, no, ma'am. She -- she  
10 showed it to me.

11 Q. Okay. So, you -- so, you looked at it?

12 A. I looked at some of it.

13 Q. You didn't ask her to take it with you so  
14 you could read it?

15 A. No, ma'am.

16 Q. So if Ms. Milum said that, she'd be lying?

17 MR. ROGERS: Objection, form.

18 A. I don't know. If she said that I took the  
19 butt book with me home or anything out of the library,  
20 then I -- I don't like to call someone a liar. I did  
21 not take a butt book with me.

22 BY MS. LEONIDA:

23 Q. Okay.

24 A. I don't think that's their actual name, but  
25 that's what they're called.

1 Q. At some point after Ms. Milum showed you  
2 the butt book, is it true that you came back and told  
3 her that she should take them out of the library  
4 system, that she should pick her battles, and that you  
5 were going to tell everyone this was over?

6 A. Repeat that, please?

7 Q. Of course. At some point after you looked  
8 at the butt books, is it true that you talked to  
9 Ms. Milum again and you told her that she should take  
10 the butt books out of the system, that this -- that she  
11 should pick her battles, and that you were going to go  
12 tell everyone that this is over?

13 A. I don't know about all that. I did not  
14 look at the butt books. I looked at a piece of one of  
15 them that was never on the -- in the system, it was  
16 never on the shelf. I -- I don't remember saying  
17 anything about anything being over. I -- I don't know  
18 what -- what would be over.

19 Q. Okay, well, let's take it piece by piece.  
20 Did you ever say to Ms. Milum that you had been getting  
21 calls about the books, the book that Rochelle had  
22 checked out, and that she should take the butt books  
23 out of the system, did you ever say that to her?

24 A. I don't know what books Rochelle has  
25 checked out or not, no.

1 Q. Okay. Did you ever tell Ms. Milum to take  
2 the butt books out of the system?

3 A. No.

4 Q. So --

5 A. That --

6 Q. -- if Ms. Milum said you said that, that's  
7 not true?

8 A. I did say to take the -- keep them out of  
9 the children's section. There's a difference.

10 Q. So you did tell Ms. Milum to take the butt  
11 books out of the children's section?

12 A. Yes, ma'am.

13 Q. Did you tell her where to put them?

14 A. No, ma'am. Let me -- can I back up a  
15 second?

16 Q. Of course.

17 A. I told her, that in my opinion, that she  
18 needed to take them out of the children's section. I  
19 also told her she does not work for me specific, so I  
20 was there, was giving my opinion and my opinion only  
21 that these books need to -- didn't -- they didn't need  
22 to be in the children's section.

23 Q. Did you tell her to pick her battles?

24 A. I don't remember saying that.

25 Q. Did you tell her that you were going to

1 tell everyone that this is over?

2 A. I don't know what "this" is, what you mean  
3 when you said I did tell her -- everyone that this is  
4 over. I -- I don't know if that -- I don't remember  
5 that.

6 Q. Do you remember telling her anything like  
7 that, that you were going to tell people that this is  
8 over, or it's over, anything that -- do you remember  
9 saying anything that she might have interpreted as you  
10 saying that you were going to tell everyone it's over?

11 MR. ROGERS: I am going to object. Asked  
12 and answered. Go ahead, though.

13 THE WITNESS: What does that mean? Keep  
14 answering?

15 BY MS. LEONIDA:

16 Q. Yeah, you can answer.

17 MR. ROGERS: Yeah, I've objected. You can  
18 answer the question. Sorry. I didn't mean to talk  
19 over you.

20 THE WITNESS: I'm sorry. Repeat the  
21 question, please.

22 BY MS. LEONIDA:

23 Q. The question is: Did you say anything to  
24 Ms. Milum during that conversation about putting --  
25 about taking the butt books out of the children's



1 section, did you say anything to her that's anything  
2 like you're going to tell everyone it's over?

3 MR. ROGERS: Objection. Asked and  
4 answered.

5 A. I don't know if I did or not.

6 BY MS. LEONIDA:

7 Q. Do you remember telling Ms. Milum during  
8 that conversation that the next step would be to take  
9 this to Commissioners Court, and if that happens, that  
10 they would vote to take them off the shelves and it  
11 would be bad publicity for the library, or anything to  
12 that effect?

13 A. So, there's two questions there, or three?  
14 I -- I don't think that I told her anything about  
15 taking it to Commissioners Court. I do think that I  
16 told her that that was -- was bad for the library. I  
17 don't know about publicity.

18 Q. Okay. Did you tell that her the  
19 Commissioners Court would vote to take the books off  
20 the shelves?

21 A. No. I answered that while ago. We  
22 don't -- we don't do that. We don't take books off the  
23 shelf or put books on the shelf.

24 Q. So if Ms. Milum had written a note to --  
25 had written down that day that you said that the next

1 step would be to take this to Commissioners Court and  
2 the Commissioners Court would vote to take the books  
3 off the shelves, she would be lying; is that right?

4 MR. ROGERS: Objection. Asked and  
5 answered. Argumentative.

6 BY MS. LEONIDA:

7 Q. You can answer.

8 A. I don't know what she wrote down. There --  
9 she didn't write nothing down while I was there that I  
10 remember, but I don't remember saying that.

11 Q. Is it possible that you could have said  
12 that to her and you don't remember?

13 A. That I could have said that -- that we were  
14 going to go to Commissioners Court?

15 Q. Okay, let me -- let me just ask the  
16 question from the beginning so we're all on the same  
17 page.

18 A. Thank you. Thank you.

19 Q. Is it possible that you could have said to  
20 her the next step would be to take this to  
21 Commissioners Court and if that happens we would vote  
22 to take them off the shelf?

23 A. No, I don't remember saying that. And  
24 we -- we don't do that. Commissioners Court doesn't  
25 decide what books are on the shelf.

1 Q. So, again, if Ms. Milum said that you said  
2 that, that would be a lie?

3 MR. ROGERS: Objection. Asked and  
4 answered. Argumentative.

5 THE WITNESS: Did someone say something?  
6 BY MS. LEONIDA:

7 Q. You can answer.

8 MR. ROGERS: I objected, Commissioner, but  
9 you can go ahead and answer.

10 THE WITNESS: Okay.

11 A. Once again, calling someone a liar is a big  
12 thing to me. I don't want to call someone a liar, but  
13 that, that did not happen.

14 BY MS. LEONIDA:

15 Q. Mr. Moss, I want to ask you a couple of  
16 questions about the library rules about displays.

17 A. About dis -- about what? Displays?

18 Q. Displays, yeah, public displays and  
19 exhibits in library.

20 A. Okay.

21 Q. Is it true that among the rules and  
22 policies of the library, that displays that focus on a  
23 public issue must include information about the major  
24 aspects of differing points of view?

25 A. I hate to keep asking you to repeat these.

1 That's a pretty long question.

2 Q. Okay. Maybe it will help if I share the  
3 screen. I'll put Exhibit 15 back on, and it's what we  
4 were looking at earlier about the display and exhibit  
5 rules. Okay. Can you see the page that says  
6 Displays/Exhibits?

7 A. Yes, ma'am.

8 Q. Okay. So, let me ask you again.

9 Is it true that the rules for Llano County  
10 Library Systems require that displays that focus on a  
11 public issue have to include information from -- from  
12 differing points of view?

13 A. It -- it says that on that page, yes,  
14 ma'am.

15 Q. Is that something that you agree with?

16 A. I don't know why I wouldn't.

17 Q. Would you agree that the role of a library  
18 is to provide people with access to information from  
19 all sides?

20 A. What do you mean by "all sides"?

21 Q. That's a great question. Let me -- let me  
22 ask it without it.

23 Would you agree that the role of a library  
24 is to provide people with access to information?

25 A. Yes, ma'am.

1 Q. Would you also agree that it's not the role  
2 of a library to advocate for one, say, political  
3 position over another?

4 A. That it's not the --

5 Q. Yes.

6 A. -- the job of the library? Yes, I would  
7 agree.

8 Q. This rule saying that when there's a  
9 library display it should show differing points of view  
10 is consistent with that, with the library's role of  
11 providing access to all kinds of information, right?

12 A. It's seems to be, yes.

13 Q. The library meeting room policy that I  
14 think you said you were actually on the board of  
15 commissioners when that was adopted, right?

16 A. In 2017?

17 Q. Yes.

18 A. Yes, ma'am.

19 Q. Okay. So, part of the policy that -- that  
20 you adopted says that letting a group use a library to  
21 meet does not mean that the library is endorsing that  
22 group's views; is that right?

23 A. I hate to keep doing this to you, but I  
24 don't know what that says word for word. It sounds  
25 right, yes, ma'am, but I -- I don't know, I can't quote

1 the policy.

2 Q. Okay. I don't expect you to. So let me  
3 see if this helps you remember. I'll just give you a  
4 minute to look at the highlighted -- well, you can look  
5 at the entire meeting room policy --

6 A. Yes.

7 Q. -- but there is a portion that I've  
8 highlighted.

9 A. Yes, ma'am, it does say that.

10 Q. Okay.

11 A. Thank you.

12 Q. And that's also because it's not a  
13 library's role to pick one side of a debate, right?

14 A. I -- yeah, I don't know if that's why  
15 that's in there or not, but I would assume so.

16 Q. So to put it a different way, then, groups  
17 are allowed to meet at the library even if, say, the  
18 librarians disagree with that group's point of view,  
19 right?

20 A. Yes, I think so.

21 Q. And groups are allowed to meet at the  
22 library even if they -- all of the commissioners  
23 disagree with that group's point of view, right?

24 A. Yeah, commissioners have nothing to -- we  
25 don't have nothing to do with the leasing out or

1 renting the meeting room.

2 Q. Okay. So I want to talk now about the  
3 Materials Selection Policy. And having learned my  
4 lesson from the last two series of questions, I'm just  
5 going to put it on the screen for you now.

6 A. Thank you. Okay.

7 Q. So, can you see this Materials Selection  
8 Policy?

9 A. Yes, ma'am.

10 Q. And this is the policy that applies now  
11 from August of twenty oh -- from 2006 to now, it's the  
12 current policy, right?

13 A. I believe so.

14 Q. Can you read the highlighted part of that  
15 policy? I can make it bigger for you.

16 A. Do you want me to read it out loud?

17 Q. Yes, please.

18 A. Just the highlighted part?

19 Q. Just the highlighted part.

20 A. "'In no case should any book be excluded  
21 because of race or nationality or the political or  
22 religious views of the writer. There should be the  
23 fullest practicable -- practicable provision of  
24 material presenting all points of view concerning the  
25 problems and issues of our times ... international,

1 national and local; and media or other reading  
2 materials of sound factual authority should not be  
3 proscribed or removed from the library shelves because  
4 of partisan or doctrinal disapproval'. The library  
5 does not promulgate particular beliefs or view -- or  
6 views, nor is the selection of any given media  
7 equivalent or -- to endorsement of the viewpoint of the  
8 author expressed" herein. "...therein." Sorry.

9 Q. Thank you. Do you -- do you agree with  
10 that, with that, personally --

11 A. Yes --

12 Q. -- that policy?

13 A. Yes, I do.

14 Q. And that is definitely the county's policy,  
15 correct?

16 A. Yes, ma'am, I think so.

17 Q. So, the fact that a book exists in Llano  
18 County Library System doesn't mean that -- that the  
19 county agrees with what that book says, correct?

20 A. Will you repeat that?

21 Q. Sure. The fact that a book is in the Llano  
22 County Library System doesn't mean that Llano County  
23 agrees with what that book says, does it?

24 A. I -- I don't -- I don't guess. I don't  
25 know. I don't have any idea what all the books are in



1 the library.

2 Q. Okay --

3 A. I --

4 Q. -- let me -- let me give you some examples  
5 then, maybe. There is a book, and I'm going to share  
6 my screen now and what I can do is just take  
7 screenshots of this afterwards, I'm going to call this  
8 Exhibit 16.

9 (Marked Deposition Ex. 16)

10 BY MS. LEONIDA:

11 Q. So, Mr. Moss, can you see the Llano County  
12 Library search page that's on the screen in front of  
13 you?

14 A. I do, I think, yes, I do see a page here.  
15 I'm assuming that's what you are talking about, the  
16 Llano County. Yes, I do.

17 Q. So there's a book in the Llano County  
18 Library System called, If You Give a Pig the White  
19 House, right?

20 A. I don't know. I guess. It says that right  
21 there.

22 Q. Yeah, and it says it's available in the  
23 Kingston Branch, right? Kingsland. Sorry.

24 A. Where does it say that?

25 Q. Is that what this KB is?

1           A.       Oh. I'm sorry. I missed that. Yeah. I  
2       think so, yes, ma'am.

3           Q.       Okay. So this book that basically makes  
4       fun of former President Trump, you wouldn't say that  
5       this book speaks for Llano County because it's included  
6       in the library system, would you?

7           A.       No.

8           Q.       Right. So Llan -- Llano County is not  
9       trying to express the view that former President Trump  
10      is a buffoon just because it has this book that makes  
11      fun of him on the shelves; isn't that right?

12          A.       Once again, you -- you're talking about a  
13      government body, so as far as I'm concerned, no.

14          Q.       Okay. Okay. I'm going to look up another  
15      book.

16          A.       Okay.

17          Q.       Okay. So, Llano County also carries this  
18      book called Fear: Trump in the White House. Do you see  
19      that?

20          A.       I do see that.

21          Q.       It's available in multiple branches, right?

22          A.       I don't know. You scooted over or  
23      something. I can't see that end there anymore.

24          Q.       Can you see that now?

25          A.       No, ma'am. That part of my screen is

1 still... I don't know. It's not there. It -- it cuts  
2 off right past where it says Author.

3 Q. Okay. So then hypothetically speaking if  
4 you could see the -- sorry. If you could see the rest  
5 of this screen and it showed that this book called  
6 Fear: In the Trump White House was available in all  
7 branches at the Llano County Library, that doesn't mean  
8 that Llano County endorses what this book says, does  
9 it?

10 A. No, ma'am, I don't think so.

11 Q. So if this book says that President Trump  
12 is a liar who jeopardized national security for his own  
13 selfish needs, that is not the opinion of Llano County,  
14 is it?

15 A. No, no, ma'am. Once again you asked the  
16 question, that -- there's a lot of -- lot of people in  
17 Llano County. I'm one person. So my opinion, no, it  
18 does not represent Llano County, doesn't.

19 Q. Are you familiar with a book called Mein  
20 Kampf written by Adolph Hitler? Are you familiar with  
21 a book called Mein Kampf which was written by Adolph  
22 Hitler?

23 A. No, ma'am.

24 Q. If there was a book by Adolph Hitler in the  
25 Llano County Library, that book definitely does not

1 represent the views of Llano County, right?

2 A. Not my view.

3 Q. Would you agree that Llano County carries  
4 all of these books that don't represent the views of  
5 the county because of the document that you were just  
6 reading to us, because the library doesn't promulgate  
7 particular beliefs or views and endorse the viewpoints  
8 of the authors represented in the library?

9 MR. ROGERS: Object to the compound  
10 question.

11 BY MS. LEONIDA:

12 Q. You can answer.

13 A. Will you repeat?

14 Q. Sure. Would you agree with me that the  
15 reason that the library can carry these books that --  
16 that the people of Llano -- let me re -- let me ask it  
17 again.

18 Would you agree with me that the reason  
19 that the library carries these books that you said  
20 don't represent the views of Llano County, the reason  
21 that these books are in there is because the library  
22 doesn't promulgate a particular belief and it doesn't  
23 endorse the viewpoint of the people that write the  
24 books in the library?

25 MR. ROGERS: Same objection.

1 A. Yes.

2 BY MS. LEONIDA:

3 Q. Okay. Llano County Library also has a copy  
4 of the Bible, the Koran and the Torah; is that right?

5 A. I don't know.

6 Q. If the --

7 A. I don't check out many books.

8 Q. Okay. If the Llano County Library has a --  
9 has the Bible in there and also a book about evolution,  
10 that would be contradictory, right?

11 A. I don't know what you mean by that  
12 question.

13 Q. Okay. So, Llano County Library can have or  
14 has books that contradict each other, does that make  
15 sense, do you -- would you agree with that?

16 A. They can have. I don't know what they  
17 have, what all the books that are in there. They can  
18 have.

19 Q. Okay. Would you agree that one of the  
20 reasons they can have books that contradict each other  
21 is because the county doesn't pick a side when it  
22 selects a book; the book is just there for information?

23 A. There you go with sides again. I'm not  
24 sure what that means.

25 Q. I can ask a -- oh --

1 A. Yes. Yes, ma'am, please do.

2 Q. Okay. I'll ask a different question. So  
3 if for example the -- the library has a copy of the  
4 Bible and also a copy of the Koran, those books tell  
5 different stories about how the world came into being.  
6 Does the library -- is the library saying that either  
7 one is right just by -- is the county saying that  
8 either one of those is right just by having it in the  
9 library?

10 A. No, ma'am.

11 Q. Is there -- is there, in your opinion as a  
12 County Commissioner, is there any problem with having  
13 books about gay people in the library?

14 A. No, ma'am.

15 Q. Books about same sex couples who are in  
16 love can have artistic value, right?

17 A. Yes.

18 Q. And it doesn't mean that the county is  
19 endorsing any particular lifestyle to have those books  
20 in the library, right?

21 A. Correct.

22 Q. Do you need a break? We've been going a  
23 little while.

24 A. No, I -- I'm good.

25 Q. Okay. Great.

1           A.       We started late and I have something this  
2 evening.

3           Q.       Okay. I think you should be able to get  
4 there.

5                    So, we were talking about how the  
6 library -- the county isn't trying to express a view by  
7 putting a book in the library. Would you agree that by  
8 selecting a book for the library, the county isn't  
9 trying to express the views in the book, if that makes  
10 sense?

11          A.       The county doesn't select. We keep  
12 saying -- we don't. You keep saying the county put  
13 these books. The county is not buying these books.

14          Q.       Okay.

15          A.       The -- the library -- the librarians or  
16 head librarian orders these books. Now -- I'm sorry.  
17 I did not answer your question. What was it again?

18          Q.       No, I'm glad, I definitely want you to  
19 correct me if I'm saying something that -- that doesn't  
20 make sense to you or if the premise is wrong. So let  
21 me break it up into two different questions.

22                    When the Library Director selects a book,  
23 is the Library Director selecting that book to express  
24 the views of the Commissioners Court or the county?

25          A.       No, ma'am.

1 Q. And when the Library Director selects a  
2 book, is the -- does the Commissioners Court look at  
3 every book that's selected to make sure that that book  
4 is -- expresses a view that they're trying to express?

5 A. Luckily, no.

6 Q. Why do you say luckily?

7 A. Because I'm sure there's a lot of books. I  
8 don't have time for that.

9 Q. Do you know if any commissioner has time  
10 for that?

11 A. I -- I don't know what the other  
12 commissioners do, you know, on a daily -- I don't know  
13 how much time they have.

14 Q. How often do you meet?

15 A. We meet a minimum of twice per month as a  
16 court, but we may meet other times.

17 Q. Do you talk to the other commissioners more  
18 than twice a month?

19 A. Not very often. We -- there's laws against  
20 quorums.

21 Q. Okay. Do you talk to them individually,  
22 then?

23 A. No. Once again, you -- you've got to --  
24 you can't do that very much because if you talk to one  
25 commissioner about one thing and then you talk to



1 another commissioner about the same thing, that's  
2 considered a walking forum and so, no, ma'am, I do not  
3 talk to them very much at all.

4 Q. Okay. Are you aware of any commissioners  
5 that get involved in telling the Library Director what  
6 books to pick?

7 A. I am not aware, no.

8 Q. Okay. Who is Rochelle Wells?

9 A. She is, as far as I know, she's -- she's --  
10 well, I do know she is one of the people I appointed to  
11 the Library Advisory Board, a concerned, involved  
12 home-school mother. Pretty much all I know.

13 Q. Have you ever talked to her about library  
14 issues?

15 A. Yes, ma'am.

16 Q. Tell me about those conversations.

17 A. Oh, well, as you said earlier, I think they  
18 may have started in August, and -- and she is one of  
19 the people asking questions about books in the  
20 children's section in the library, and before that, I  
21 didn't know her. Still don't know her, but -- very  
22 well. But we -- we've talked about books that were in  
23 the children's section of the library. I think that's  
24 about it. I don't know the details of the  
25 conversations.

1 Q. Okay. Did you continue to talk to her  
2 through the fall of 2021?

3 A. I believe so, yes, ma'am.

4 Q. Okay. Who is Chris Jones?

5 A. Chris Jones, she is a constituent and  
6 that -- that has showed concerns about the same, that  
7 rides a motorcycle, and that's all I know.

8 Q. When you say concerns about the same, what  
9 do you mean?

10 A. Some of the -- the books, children's  
11 books -- I'm sorry. Some of the books in the  
12 children's section.

13 (Marked Deposition Ex. 17)

14 BY MS. LEONIDA:

15 Q. Okay. I am going to show you what will be  
16 marked Exhibit 17.

17 A. Okay.

18 Q. And this is an email that was forwarded to  
19 you by Chris Jones from Rochelle Wells. Do you see  
20 that?

21 A. I do. I read slow, though, so give me a --  
22 do you want me to read it, some of it, or what do you  
23 want me to do?

24 Q. No no, take your time.

25 A. Okay. Yeah. Thank you for highlighting

1 things you want me to look at. Huh. Yeah, I see some  
2 of that.

3 Q. Okay. Just let me know when you're done.

4 I have -- I --

5 A. Okay.

6 Q. -- just have some follow-up questions about  
7 this.

8 A. Okay. Hold on a second, please. Okay.

9 I've read all of that that is on the screen.

10 Q. Okay. So the first question that I have is  
11 you see there's a reference there that I highlighted  
12 about, "Commissioner Moss and Judge Cunningham have  
13 instructed Amber, the head librarian, to remove certain  
14 books..."?

15 A. I see that.

16 Q. Okay. What books were those?

17 A. There's something missing there and any --  
18 any books that I have talked to her about, which, once  
19 again was strictly my opinion, I made it very clear  
20 that she doesn't work under me, but was a book out -- a  
21 couple of books out of the children's section of the  
22 library -- not out of the library. The -- there's --  
23 to answer the second part of that question, there's  
24 a -- the butt books that we had talked about earlier,  
25 and I just seen the -- a part of one of them that was

1 never on the shelf to start with as far as I  
2 understand, and then there's a book that's called, It's  
3 Perfectly Normal that was in the ten-and-under section  
4 that shows people having sex.

5 Did I answer your question?

6 Q. Yes, so those are -- those are the books  
7 that Ms. -- is it Ms. or Mrs. Wells?

8 A. I don't have no idea.

9 Q. Okay.

10 A. Well, I guess it's Mrs. Wells.

11 Q. So those are the books that Mrs. Wells is  
12 talking about when she says that -- that you and Judge  
13 Cunningham have instructed Amber, the head librarian,  
14 to remove certain books?

15 A. I assume so. But I don't know what Judge  
16 Cunningham has done or hasn't done.

17 Q. Okay. Did you have a meeting with  
18 Mrs. Wells, do you remember having a meeting with  
19 Mrs. Wells around the time of this email?

20 A. I am horrible with timelines, so I'm not  
21 sure about the time of this email, but I have met with  
22 Ms. Wells before.

23 Q. Okay. Were some of those meetings before  
24 Thanksgiving of last year?

25 A. I think so, yes.

1 Q. At any of those meetings, did you talk  
2 about what's referenced down here as a "16-page list of  
3 CRT and LGBTQ books"?

4 A. No, ma'am.

5 Q. So, when it says at the bottom of this  
6 summary here, "Chris Jones has combed through that  
7 16-page list of CRT and LGBTQ book to see which we have  
8 in Llano County libraries," and that they are going to  
9 be sending a list of the ones that are inappropriate  
10 along with a summary to Commissioner Moss. Is that  
11 something that you all talked about --

12 A. No.

13 Q. -- people doing? No?

14 A. I get -- I get advice all the time. I -- I  
15 don't remember that, no.

16 Q. Do you know what list they're talking  
17 about?

18 A. No, ma'am, I do not.

19 Q. Okay. Do you know what CRT stands for?

20 A. CRT? I -- I do not. What does --

21 Q. What --

22 A. -- it stand for?

23 Q. Go ahead. I'm sorry?

24 A. What does it -- what does it stand for?

25 Q. I'm asking if you know because it looks

1 from this like you -- like you all might have talked  
2 about it at a meeting.

3 A. I'm asking you. I -- I know you're asking  
4 the questions. I don't know what it stands for, no.

5 Q. Okay. Did you ever talk to anybody about  
6 CRT as far as you know?

7 A. No, ma'am, but it would be helpful if I  
8 knew what it meant.

9 Q. Well, then, my next question is did you  
10 ever talk to anybody about critical race theory?

11 A. That's what it means I guess. Oh. No  
12 ma'am.

13 Q. Do you know what LGBTQ stands for in  
14 Mrs. Wells' email here?

15 A. It represents the homosexual community, the  
16 way I understand it.

17 Q. Have you ever -- go ahead.

18 A. I didn't say nothing.

19 Q. Okay. Have you ever talked to anybody  
20 about those kinds of books?

21 A. People have talked to me.

22 Q. Which people?

23 A. I -- I don't know. There -- there was a  
24 lady that attended Commissioners Court and made public  
25 comments a couple of times, but I don't -- I don't

1 remember her name.

2 Q. What was she commenting about?

3 A. About homosexual books being in our library  
4 system.

5 Q. What was her opinion on that?

6 A. I didn't have one. That was on public  
7 comments, and we -- that we could not respond.

8 Q. Sorry. I asked what was -- what was her  
9 opinion?

10 A. Oh, what was her opinion. I'm sorry. I'm  
11 sorry. I don't know if she actually stated her  
12 opinion. She was -- she was complaining about them  
13 being in the library.

14 Q. Did anybody on the -- did any of the  
15 commissioners respond to what she said at that meeting  
16 or later?

17 A. I don't know about later, but we can't --  
18 we could not respond, it's on public comments, and it  
19 was not on our agenda, of course.

20 Q. The books that you -- that you and -- well,  
21 the books that you said that you instructed Amber the  
22 head librarian to remove, I think you said the one butt  
23 book, and what was the other book that you -- that you  
24 mentioned?

25 A. I didn't --

1 MR. ROGERS: Objection. That misstates  
2 testimony.

3 BY MS. LEONIDA:

4 Q. What was the other book that you mentioned  
5 you talked to Amber about?

6 A. Yeah, I didn't instruct her to do anything.  
7 It's -- what was the -- I'm not sure. You said one of  
8 the books in the question. What was the other -- well,  
9 what -- what's the question?

10 Q. The question was: When you were talking  
11 about the books that let's say you suggested to Amber  
12 that you thought might not belong in the children's  
13 section, what were -- what were the names of those  
14 books again?

15 A. Well, there was the butt book that -- that  
16 you referenced to start with, and It's Perfectly  
17 Normal.

18 Q. Any other books that you talked to her  
19 about?

20 A. I don't think so, no. No ma'am.

21 Q. Okay. Did you read It's Perfectly Normal?

22 A. I did not read it. I flipped through the  
23 pages, I looked at the pages, looked at the pictures.

24 Q. Did you read any reviews of that book?

25 A. No, ma'am.



1 Q. Did you talk to anybody who had read the  
2 book?

3 A. I didn't talk to them, but we -- we had a  
4 lot of public comments about it.

5 Q. Tell me about that.

6 A. Most of them was from Ms. Little talking  
7 about the book several times in -- several times in the  
8 Commissioners Court on public comments.

9 Q. Did anybody else talk about the book in  
10 public comments besides Ms. Little?

11 A. I think so, but I don't remember who, that  
12 they -- she was -- definitely talked about it more than  
13 anyone.

14 Q. You said that you suggested that that book  
15 didn't belong in the children's section because of the  
16 pictures. Do you -- what pictures are you talking  
17 about?

18 A. It shows people having sex, animated people  
19 having sex, in the ten-and-under section of the  
20 library.

21 Q. Where did you tell the Library Director to  
22 put that book when you said that you didn't think it  
23 belonged in the children's section?

24 A. Actually, the person I talked to about that  
25 to start with was the children's librarian at the time,

1 and that was my opinion, and she agreed, and I don't  
2 know that I told them what section to put it in, but in  
3 an -- in the -- at -- at one of the other sections.

4 Q. What was the name of that librarian that  
5 you talked to about it?

6 A. Tina. I believe her last name is  
7 Castillon. Tina Castillon.

8 Q. Did you see what she did with the book  
9 after you talked about it?

10 A. No, ma'am.

11 Q. Did she tell you what she did with the book  
12 after you talked about it?

13 A. I don't think so.

14 Q. Did you ever hear from anybody else what  
15 happened to that book after you talked to Tina about  
16 it?

17 A. I think -- I think that book was put in the  
18 adult section, and then later was weeded because it  
19 hadn't been checked out.

20 Q. Tell me more about that. How do you  
21 know --

22 A. You had -- your -

23 Q. How do you know it was weeded?

24 A. Your guess is as good as mine. I -- I got  
25 a complaint that books were being removed from the

1 library, so I went back to the library and asked Amber  
2 Milum, the Library Director, what was going on, why was  
3 she removing books from the library, and she said she  
4 was not removing books, she was doing her, part of her  
5 job, they were weeding books, which was books that had  
6 not been checked out in a certain amount of time, and I  
7 don't remember what the time is, how -- the length is  
8 that they -- that if they haven't been checked out,  
9 books that hadn't been checked out were taken off the  
10 shelves to make room for different books that -- that  
11 were wanted or asked, you know, as being checked out by  
12 the public, and I think that -- I'm pretty sure that  
13 book was one of them.

14 Q. Did she tell you any other books that had  
15 been weeded?

16 A. No, no, ma'am, didn't go into details about  
17 what books it was. I knew afterwards when all this  
18 started that that -- that that was one of the books.

19 Q. Do you remember approximately what time -  
20 and maybe by reference to a holiday, before or after  
21 Thanksgiving or Christmas - what time it was that you  
22 asked Ms. Milum about where this book was and she told  
23 you that it had been weeded?

24 A. I didn't ask Ms. Milum where that book was.

25 Q. Then I misunderstood. How did you find out

1       that that book had been weeded?

2           A.       Okay. We may be talking about two  
3       different times here. But when you asked me about just  
4       a second ago, the last question about -- you asked me  
5       to tell you about how I knew books were weeded, and --  
6       which I had never heard of before then, and turns out  
7       that's something that libraries do. I think that it  
8       may have been when y'all served me with papers. I  
9       don't remember exactly when I found out that that book  
10      was in the weeding process, or, you know, had been  
11      weeded.

12          Q.       Okay. So we served you with papers, and  
13      then what did you do next in terms of --

14          A.       I called a lawyer.

15          Q.       And then after you called the lawyer, did  
16      you make some effort to figure out whether books had  
17      been removed from the library?

18          A.       Well, the books had been weeded before that  
19      that I knew -- that -- the ones that y'all named, I  
20      didn't really make much of an effort to -- to go to the  
21      library to actually see if they had been weeded, which  
22      books had been weeded and which books hadn't.

23          Q.       When is the first time that you talked to  
24      anybody at the library about weeding? You said that  
25      you just found out that this happened. When, when was

1       that? Was it --

2           A.       Well, it wasn't yesterday. So when I say I  
3 just found out, I'm not -- I'm sorry. Did I cut you  
4 off?

5           Q.       Nope. Go ahead and answer.

6           A.       I'm not sure on the time or month or year  
7 even. It was -- I think it was in 2021. I -- I don't  
8 know what their -- I don't know when they were weeded.  
9 I'm not sure. I'm sorry. There was a -- I don't  
10 remember even who asked me. I'm trying to think.  
11 There -- there was a lady that asked me if I knew that  
12 was going on and I went down there, but I do not  
13 remember what time it -- what time that was or -- or  
14 day or month, no ma'am.

15          Q.       Okay. You said a lady asked you if you  
16 knew that was going on. What -- do you remember what  
17 lady that was?

18          A.       I think it was Linda Gammage.

19          Q.       And what did Linda Gammage ask you, to the  
20 best of your memory?

21          A.       Asked me if I knew books -- or what books  
22 had been remove -- were being removed from the library.

23          Q.       What did you think when she asked you that?

24          A.       I wondered what in the world was going on,  
25 so I went down there and asked.

1 Q. Who did you ask?

2 A. Amber. I've told that you already. I  
3 told -- I asked Amber Milum just in -- what -- what  
4 books were being removed from the library, and she said  
5 they weren't removed, they were being weeded because of  
6 the lack of use, lack of circulation.

7 Q. Okay. And this happened at the end of  
8 2021? I just want to make sure that we're talking  
9 about the same conversations.

10 A. I don't know, ma'am, no, ma'am, I can't --  
11 I can't say exactly if it -- it may have been Janu --  
12 it was -- it may have been November, it may have been  
13 January. I'm not sure about the timeline.

14 Q. It was before the lawsuit was filed?

15 A. Yes, ma'am.

16 Q. Okay. So, going back to Exhibit 17, which  
17 was that, that email that you were reading --

18 A. Okay.

19 Q. -- about Chris Jones going through the  
20 16-page list of books. If you remember, at the end of  
21 that email it said, "Thank you, Chris, for all that  
22 work! We will be sending a list of the ones that are  
23 found to be inappropriate, along with a summary, to  
24 Commissioner Moss."

25 Did you ever get anything, did you ever get

1 a list of inappropriate books, or summaries?

2 A. If I did, I didn't look at it.

3 Q. Do you know what -- what they meant  
4 by "inappropriate" in that email?

5 A. I do not know exactly.

6 Q. Do you remember in November of 2021 talking  
7 to Amber Milum and Judge Cunningham about removing  
8 books that depict sexual activity or nudity from the  
9 library?

10 A. Once again, I'm -- I'm horrible with dates.  
11 And timeline, I'm not sure about timeline, but I don't  
12 remember what the -- with -- talking to them about it.  
13 If -- I know that I had talked to Amber about taking  
14 books out of the children's section that were in --  
15 were inappropriate, but not removing books from the  
16 library.

17 Q. I am going to share my screen again to show  
18 you another document.

19 A. Okay. Okay.

20 (Marked Deposition Ex. 18)

21 BY MS. LEONIDA:

22 Q. So, this, which will be Exhibit 18, there  
23 is an email that you are copied on from Judge  
24 Cunningham to Ms. Milum on --

25 A. Can you scoot it down just a little?

1 Q. That way?

2 A. Yes, ma'am. Okay. I couldn't -- I don't  
3 know what you want me to see on it.

4 Q. I'm seeing if this refreshes your  
5 recollection about any meetings that you had. So,  
6 this -- this email here from Judge Cunningham to  
7 Ms. Milum that copies you.

8 A. Okay. Okay.

9 Q. It says, "As we discussed in our meeting at  
10 my office at 9:45 ... on November 9 ... any and all  
11 books that depict any type of sexual activity or  
12 questionable nudity are to be pulled immediately."

13 Do you remember that meeting?

14 A. I do not. I'm going to read that. "As we  
15 discussed in our meeting ..." I do not. I don't  
16 believe I was at that meeting.

17 Q. Okay. Do you remember getting this email  
18 talking about the meeting?

19 A. Once again, I get emails all the time  
20 that -- and most of them I don't read. I -- I'm sure I  
21 got it because it says it went to me. I don't know why  
22 my -- why is the email marked out?

23 Q. I think it's for your privacy, Mr. Moss. It  
24 probably did not go to your Llano County address. So.

25 A. Okay.



1 Q. Do you remember getting the email that  
2 Ms. Milum sent in response where she says, "We're  
3 working on getting these books pulled. I will also  
4 work on the lists that she provided."

5 Do you remember getting that email?

6 A. I don't know. Can I read it?

7 Q. Sure.

8 A. That kind of seems familiar, but honestly  
9 I -- I don't know. I can't say that I do remember that  
10 email from November of 2021 there.

11 Q. Do you remember any communications, either  
12 on the phone, email, text, just running into people, do  
13 you remember any communications about getting books  
14 pulled that involved any type of sexual activity or  
15 nudity?

16 A. There was several conversations with --  
17 that I had with concerned citizens and Amber and I  
18 think the Judge at different times about books that  
19 showed nudity out of the children's section. But when  
20 you say pulled, maybe pulled from the children's  
21 section, yes, I do, I -- I don't remember with who or a  
22 time, timeline, but yes, there were several  
23 conversations.

24 Q. Why don't you tell me what you remember  
25 about those conversations. Let's start with -- with

1 Judge Cunningham. Tell me about what you and he talked  
2 about in that regard.

3 A. I knew you were going to ask me that. I  
4 think that we talked about, I asked his opinion maybe  
5 on those book -- nudity books being in the children's  
6 section and the he felt the same as I did, that they  
7 shouldn't be there in the children's section of the  
8 library. I don't remember exact details of the  
9 conversation, you know, word for word, but -- and the  
10 same with Amber, she -- I think she felt the same way,  
11 that they shouldn't be in the children's section of the  
12 library, maybe she was going to label -- at some point  
13 she was going to label the books or the -- the sections  
14 Young Adult, Children's, Adult, label them better maybe  
15 in -- in -- in the library, in all three libraries, but  
16 I don't remember all the conversation.

17 Q. Do you remember talking to -- actually, let  
18 me ask a different question.

19 Judge Cunningham, what's his role?

20 A. He's the County Judge.

21 Q. What does that mean? What's his --

22 A. I don't know --

23 Q. -- job?

24 A. I don't want his job. He -- he's the --  
25 he's the presiding officer of the Commissioners Court

1 and he has County Court here in the courthouse. He's  
2 the bud -- head budget officer, he's -- he oversees  
3 departments that don't have an elected official,  
4 Building and Maintenance, Permitting, Library System,  
5 kind of Road and Bridge, I do -- I do most of the Road  
6 and Bridge, though.

7 Q. Is that a full-time job?

8 A. What's that?

9 Q. The judge.

10 A. Yes, sir -- or yes, ma'am. I'm sorry.

11 Yes.

12 Q. Is the judge allowed to tell the Library  
13 Director what books to pull from the shelves?

14 MR. ROGERS: Objection to the extent it is  
15 beyond his personal knowledge and might call for  
16 speculation.

17 BY MS. LEONIDA:

18 Q. You can answer.

19 A. What is the -- as far as I know, he -- once  
20 again, I don't know what the Judge thinks or does on a  
21 daily basis. I don't know the answer to that question.  
22 Would you ask it again?

23 Q. Yeah, as far as you know, is -- is the  
24 Judge, is Judge Cunningham allowed to tell the Library  
25 Director what books to -- to remove from the library?

1           A.       I don't -- I don't think that he would tell  
2       some -- tell them what books to remove from the  
3       library, no. Maybe -- maybe change sections, but --  
4       but I don't -- I don't know. I don't think so.

5           Q.       Do you think he has the authority to do  
6       that, is that something a judge is allowed to do?

7                   MR. ROGERS: Objection. Form.

8           A.       I don't know about other counties, or Llano  
9       County is -- I don't know that either, to be honest  
10      with you. He -- the department heads work under him,  
11      that, like I said, that aren't -- that don't have an  
12      elected official in their office. Honestly, I don't  
13      know that. You would think I would since I've been a  
14      commissioner for 15 years, but I don't know the answer  
15      to that question.

16                   (Marked Deposition Ex. 19)

17      BY MS. LEONIDA:

18           Q.       Let me ask you about one more email and  
19      then we'll take a short break. This is going to be  
20      Exhibit 19. And this is an email to you from  
21      Ms. Milum, and I'll just give you a minute to read it.  
22      Let me know when you're done.

23           A.       Okay. Okay. I've read it.

24           Q.       Do you remember asking Ms. Milum for a form  
25      about reconsidering books or removing books or moving

1 books?

2 A. I -- I asked her about -- I did ask her  
3 about the form.

4 Q. What did you ask her about it?

5 A. I'm trying to think about that. I think I  
6 asked her if it existed, maybe, you know, or if she had  
7 -- if she had the form, that there's -- there was talk  
8 if there was a complaint form, if someone had a  
9 complaint about the library, there was a complaint  
10 form.

11 Q. Why did you ask her about that?

12 A. I don't know. I think because there were  
13 some complaints in the library and no one had been  
14 given a form to fill out, you know, to -- I guess  
15 official.

16 Q. So then she sent you this form that's part  
17 of Exhibit 19, right?

18 A. I'm assuming that's the same. I -- I don't  
19 know. I'm assuming that's the form that she sent me,  
20 yes, ma'am.

21 Q. Does it look like the form that she sent  
22 you?

23 A. I don't remember what it looked like.

24 Q. Are you aware of any other form that people  
25 use to -- that people fill out about books in the

1 library system?

2 A. I don't think there's one been updated  
3 since that one probably, so, no, ma'am, in the -- i the  
4 Llano County Library System, I -- not that I know of.

5 Q. Okay. I think this is a good time to - for  
6 me anyway - to take a break. Do you need any more than  
7 five minutes, Mr. Moss?

8 A. No, ma'am.

9 Q. Okay. Let's take five minutes.

10 A. Okay.

11 THE VIDEOGRAPHER: We are going off the  
12 record at 2:58 p.m.

13 (Break from 2:58 p.m. until 3:11 p.m.)

14 THE VIDEOGRAPHER: We are going back on the  
15 record at 3:11 p.m.

16 BY MS. LEONIDA:

17 Q. Mr. Moss, do you know a woman named Bonnie  
18 Wallace?

19 A. Yes, ma'am, I do.

20 Q. How do you know her?

21 A. Well, she is a member of the Library  
22 Advisory Board also. And I think before that, I don't  
23 know that I did know her, I know -- I knew her husband  
24 a little longer, he's involved in the hospital here in  
25 town -- in our county, but Ms. Wallace is a -- like I

1 said, a Library Advisory Board member. Of course,  
2 she's named in this lawsuit. And really that's as far  
3 as I know her. I don't really know her outside of  
4 that.

5 (Marked Deposition Ex. 21)

6 BY MS. LEONIDA:

7 Q. Okay. I am going to show you Exhibit 21, a  
8 spreadsheet.

9 A. Okay.

10 Q. And this is a list of books that  
11 Ms. Wallace made that were in the library that she had  
12 some concerns about. Have you seen this before?

13 A. I don't know. I don't think so. Not that  
14 I recall -- not that I recall.

15 Q. Okay. So I'm going to ask you to look at  
16 all of the books on this list, and I guess if there are  
17 a lot of books, it may take a while. Just let me know  
18 when you need me to scroll down.

19 A. I don't have to remember them, do I?

20 Q. No.

21 A. Okay. Okay.

22 Q. Have you heard of any of these books,  
23 Mr. Moss?

24 A. Not that I can -- not that I recognized.

25 Q. Do you have any reason to think that any of

1 these books do not have artistic value?

2 A. What do you mean by "artistic value"?

3 Q. Do you have any reason to think that any of  
4 these books don't belong in a library?

5 A. Oh. No, ma'am.

6 Q. Do you have any reason to think that any of  
7 these books should be or should have been removed from  
8 the Llano County Library?

9 MR. ROGERS: I would just object it calls  
10 for speculation since he doesn't have knowledge of the  
11 books.

12 BY MS. LEONIDA:

13 Q. You can answer.

14 A. Will you repeat that?

15 Q. Do you have any reason to think that any of  
16 these books do not belong in the Llano County Library  
17 System?

18 MR. ROGERS: Same objection.

19 A. Well, looking over here on this -- on this  
20 page that you are showing me, it looks like some of  
21 them haven't been checked out. But as far as shouldn't  
22 be in the library, no, I do not.

23 BY MS. LEONIDA:

24 Q. Looking at this list of books, you don't  
25 have any reason to believe that anything in these books



1 is pornographic, do you?

2 MR. ROGERS: Objection. Speculation.

3 A. Exactly. It's speculation. I don't know  
4 what's in the books.

5 BY MS. LEONIDA:

6 Q. Okay. So because you don't know what's in  
7 the books, it would be fair to say that you would have  
8 no reason to think that there's pornography in these  
9 books, because you don't know, right?

10 A. I want to look at them again before I  
11 answer that question.

12 Q. Oh. Of course. Just let me -- let me know  
13 when you're done and let me know when you need me to  
14 scroll.

15 A. Okay. No, ma'am.

16 Q. Mr. Moss, are you familiar with the  
17 Collection Review Committee?

18 A. How so? What do you mean familiar with  
19 them?

20 Q. Are you familiar with any organization in  
21 Llano County called the Collection Review Committee?

22 A. There is a committee that the Library  
23 Advisory Board formed.

24 Q. Tell me everything you know about that  
25 committee.

1           A.       They were, as far as I know, they look  
2       at -- look at the books that haven't been checked out,  
3       and recommend books to the librarians to purchase or --  
4       or -- I guess. I really don't know, honestly, what  
5       they do.

6           Q.       To the extent that you do know, like,  
7       what's -- what's the source of your information? Why  
8       did you just say that you think that they recommend  
9       books to -- books to put in the library and books to  
10      not have in the library, how do you know that?

11          A.       Well, I went -- was at a Library Advisory  
12      Board meeting when they were talking about that  
13      committee or establishing that committee maybe.

14          Q.       And would that have been in February of  
15      this year?

16          A.       It could have been. I don't know what date  
17      that was.

18                   (Marked Deposition Ex. 20)

19      BY MS. LEONIDA:

20          Q.       Okay. I am going to show you another  
21      email.

22          A.       Okay.

23          Q.       It will be Exhibit 20. I'm not sure if I  
24      showed it to you, but it's going to be Exhibit 20. Do  
25      you see that that's an email from Bonnie Wallace to you

1 and a few other people that talks about meeting with  
2 Gay and herself yesterday. Is that the meeting that  
3 you are talking about?

4 A. No, ma'am. The meeting I'm talking  
5 about -- I don't know what that is. The meeting I'm  
6 talking about was at a Library Advisory Board meeting.

7 Q. Do you remember getting this email?

8 A. I don't remember it.

9 Q. The Library Advisory Board meeting where  
10 they talked about creating this committee to review  
11 books, do you remember approximately when that was, if  
12 it was this year, last year, again, maybe in relation  
13 to a holiday?

14 A. I think it was in 2021. I think it was  
15 before the first of the year. They weren't -- there  
16 were -- yes, I think it was in the first of the year --  
17 before the first of the year.

18 Q. Whose idea was it to set up this committee  
19 within the library, or this committee outside the  
20 Library Advisory Board?

21 MR. ROGERS: Objection. Assumes facts not  
22 in evidence, and misstates testimony. I don't think it  
23 was outside the library.

24 A. It wasn't.

25 BY MS. LEONIDA:

1 Q. So was the committee made up of Library  
2 Advisory Board members?

3 A. It was supposed to be. I don't think I was  
4 at the meeting where they actually appointed members to  
5 that, but -- and I do not know who brought that up.

6 Q. Are you a member of the Library Advisory  
7 Board?

8 A. No, ma'am.

9 Q. Why were you at the meeting at the Library  
10 Advisory Board?

11 A. That was before they were private. I go to  
12 lots of meetings.

13 Q. Do you go to every Library Advisory Board  
14 meeting?

15 A. No, ma'am.

16 Q. Why did you go to this particular one?

17 A. I don't know.

18 Q. How many Library Advisory Board meetings  
19 have you been to?

20 A. Maybe two or three when they first started.

21 Q. What do you mean when they first started?

22 A. When they first started back after everyone  
23 had been -- everyone's term had expired, so, when they  
24 started, when we reappointed the members, or appointed  
25 members, we -- and they started back, that's all --

1 that's what I mean when they first started.

2 Q. Okay.

3 A. This -- whenever that was. I don't know  
4 what time, when that was.

5 Q. So, before you appointed the four new  
6 library board members that we had discussed earlier,  
7 you had never been to a Library Advisory Board meeting?

8 A. I think they were all private. I don't  
9 think they were open. So the answer to that is no, I  
10 had not.

11 Q. So when you appointed these four new  
12 people, did they make the library board meetings open  
13 for the first time in Llano County history?

14 A. Once again, that's a long time, so I'm not  
15 sure how long there has been a Library Advisory Board,  
16 but they -- these meet -- their meetings were open to  
17 the public at first.

18 Q. Did the Commissioners Court or the library  
19 board take some action to make the meetings open when  
20 you -- because I think you said they had been private  
21 before. Did something happen to open them up?

22 A. I don't know. The Commissioners Court did  
23 not take action to open them up, I know that, or close  
24 them, for that matter.

25 Q. Who has the authority to say whether the

1 library board meetings are open or closed?

2 A. I should know, but I don't know the answer  
3 to that question.

4 Q. Okay. Before you -- before you appointed  
5 these four new library board members and started going  
6 to meetings for the first time, before that, had you  
7 ever tried to go to a library board meeting and they  
8 wouldn't let you in?

9 A. No, ma'am.

10 Q. So then can you explain to me why you --  
11 why did you suddenly start going to Library Advisory  
12 Board meetings?

13 A. Well, as with a lot of things in the  
14 county, I lose -- don't lose my place, but we make  
15 decisions, budgetary, for offices, and at times I'll  
16 try to go to other meetings in other offices and learn  
17 things about the county or -- or, you know, the other  
18 departments.

19 Q. What did you learn about the county at this  
20 first library board meeting that you attended?

21 A. Not very much. Nothing really. Nothing  
22 really. They -- it may have been their second or third  
23 meeting since the board was reestablished, the Library  
24 Advisory Board was reestablished. I don't remember  
25 what meeting it was that I went to first, but not much.

1 Q. The meeting that you went to where they  
2 formed the Collection Review Committee, what was  
3 discussed at that meeting?

4 A. Well, I don't know that I went to the  
5 meeting where they formed that. When I went to the  
6 meeting, they were talking about having committees,  
7 different -- that committee and different committees to  
8 do research and -- and look at policies and things like  
9 that.

10 Q. Okay, what were they saying about those  
11 committees, about forming those committees?

12 A. Just that they thought it would be easier,  
13 instead of have everyone looking at everything, have a  
14 committee made of themselves, some of the -- some of  
15 the board members meet and then report back to their  
16 board at later meetings.

17 Q. What would be the purpose of them reporting  
18 back to their board at later meetings?

19 A. I don't want to object, but that's  
20 speculation, too. I don't know what -- I don't know.

21 Q. When they were talking -- let me back up.  
22 You were there when they talked about forming these  
23 committees, right?

24 A. Yes, ma'am.

25 Q. So you heard them talking about why they

1 wanted to form committees?

2 A. I was there one time. I don't know what  
3 else they talked about other meetings.

4 Q. Okay. Let's just focus on the one time  
5 that you were there, then.

6 A. Okay.

7 Q. There you are at the Library Advisory  
8 Committee meeting, you heard them talking about why  
9 they wanted to form a Collection Review Committee,  
10 right?

11 A. Not necessarily why, just -- just about all  
12 the committees. They talked about all of the  
13 committees that they wanted to form as a whole.

14 Q. Okay. So you heard them talking about all  
15 the committees they wanted to form as a whole.

16 A. Okay.

17 Q. How many committees were there?

18 A. I think there were four or five. I think  
19 maybe, maybe four. I'm not sure. I don't remember  
20 exactly. There was four. Four or so. Four or five.

21 Q. What was each of those four or five  
22 committees going to do? What was its role?

23 A. I knew you were fixing to ask me that. Oh,  
24 there was a collection, maybe a checkout, I don't  
25 remember the title of the committee, maybe a checkout



1 and return policy, maybe a -- it mostly had to do with  
2 policies, that I remember, you know, looking at pol --  
3 looking at library policies or operations, things like  
4 that.

5 Q. I think you also said that they were then  
6 going to report back to the Library Advisory Committee?

7 A. Library Advisory Board, yes, ma'am.

8 Q. Board. Sorry.

9 A. That's what they talked about.

10 Q. Okay. What power does the Library Advisory  
11 Board have to act on these committees' recommendations?

12 A. They don't, they don't have any power, they  
13 don't make decisions, they make -- they make their  
14 recommendation or advise the Commissioners Court on  
15 what they think would need to be changed in policies  
16 and operations, things like that. They don't have any  
17 power. It's a --

18 Q. So they advise -- oh, go ahead.

19 A. It -- I don't have any -- I don't even know  
20 what I was going to say.

21 Q. Okay. So the Library Advisory Committee  
22 gets information fro -- or Library Advisory Board -  
23 sorry - gets information from these committees, and  
24 then the Library Advisory Board reports to the  
25 Commissioners Court with recommendations, right?

1           A.       I guess that's how they operate, yes.

2           Q.       And then the Commissioners Court, which  
3 includes you as a commissioner --

4           A.       Yes, ma'am.

5           Q.       -- has the authority to hire or fire the  
6 Library Director, right?

7           A.       Yes, ma'am.

8           Q.       The Commissioners Court and individual  
9 commissioners like yourself also have the power to make  
10 suggestions to the Library Director about, for example,  
11 where certain books should be, right?

12          A.       I don't -- not really, no. I don't guess,  
13 no we don't -- we don't do that. The Commissioners  
14 Court doesn't do that.

15          Q.       Individual commissioners can do that,  
16 though, right, like you were explaining how you  
17 suggested to Ms. Milum that a book maybe should not be  
18 in the children's section, right?

19          A.       Well, that's a loaded question. I -- I  
20 give her my opinion; at the same time, I was --  
21 expressed to her that I was not her boss or supervisor,  
22 that I was not giving her an order, that that was  
23 strictly my opinion that those books should not be in  
24 the children's section, specifically the one book.  
25 After the first conversation of the butt books, I don't

1 know what happened there, I -- I -- that was never  
2 brought back up to me.

3 Q. Ms. Milum knows that the Commissioners  
4 Court is the only body in Llano County with the  
5 authority to fire her; isn't that right?

6 MR. ROGERS: Objection. Calls for  
7 speculation.

8 A. I don't know what she knows. I would  
9 think.

10 BY MS. LEONIDA:

11 Q. Is there any way that Ms. Milum could be  
12 fired except for by the Commissioners Court?

13 A. The judge may have that authority. I'm not  
14 sure.

15 Q. Okay. So the Commissioners Court  
16 definitely has the authority to fire Ms. Milum or any  
17 Library Director, correct?

18 A. The Library Director, not -- not -- not  
19 library employees.

20 Q. The Commissioners Court has the authority  
21 to fire any Library Director, correct?

22 A. Okay. The library -- yes, I guess. The  
23 Library Director is in charge of the libraries, the  
24 boss of the libraries, yes, ma'am.

25 Q. Okay. And that person -- okay. And that

1 person is somebody that the Commissioners Court has the  
2 ability to hire and fire, right?

3 A. Yes, ma'am.

4 Q. Now, you also think that maybe Judge  
5 Cunningham could, on his own, fire the Library  
6 Director; is that right?

7 A. Well, I said maybe. I'm not sure on that,  
8 honestly. I'm not sure. I think so.

9 Q. Is there anybody else that you think has  
10 the authority to hire or fire a Library Director in  
11 Llano County?

12 A. No, ma'am.

13 (Marked Deposition Ex. 23)

14 BY MS. LEONIDA:

15 Q. I am going to show you another form, it's  
16 going to be Exhibit 23, just to see if you recognize  
17 it.

18 So, this is the form that was attached to  
19 the email that Bonnie Wallace sent you the last time I  
20 showed you an exhibit. Do you -- does this look  
21 familiar to you?

22 A. I don't know that I've seen this form, but  
23 I think that Ms. Milum had told me that she had seen  
24 this form, or has a -- maybe she -- maybe this form is  
25 in the library system. I'm not sure.

1 Q. Do you know what this form is for?

2 A. It says Harmful Content Analysis. I'm  
3 assuming it's looking at books, grading books,  
4 whatever. Can you go down?

5 Q. Yes.

6 A. Okay. I don't know. You said this was  
7 attached to one of those emails?

8 Q. It was attached to the email that -- that  
9 Ms. Wallace sent about the Collection Review Committee.

10 A. Is that all of it, or does it go down some  
11 more?

12 Q. That's all of it.

13 A. Yeah, I'm not sure. There's a lot of words  
14 on that thing. I'm not sure if that's -- if I've seen  
15 that or not. If it was an attachment, I probably  
16 haven't, honestly.

17 Q. Okay. Did any -- has anybody ever sent you  
18 a form, either this form or any other form that  
19 analyzes a book?

20 A. I don't know. I don't know if that -- if  
21 they have or not, if anyone has.

22 Q. What do you mean you don't know?

23 A. Well, I can't remember. I don't know if --  
24 I -- I hate to admit this, but I don't look at a lot of  
25 emails. I can't say if someone sent me another one or

1 not.

2 Q. Do you remember ever receiving anything in  
3 writing about a book, complaining about a book, or  
4 commenting about a book in the library system?

5 A. I don't -- I don't think so. I don't think  
6 so. Maybe, maybe an email, but I don't -- I'm not sure  
7 about that either.

8 Q. Did you read the Complaint that was filed  
9 in this case? You said that you -- you said that you  
10 received it. Did you -- did you read it?

11 A. From you?

12 Q. Yes.

13 A. Yes, ma'am, I did read those.

14 Q. Did you read the motion for a preliminary  
15 injunction that was filed in this case by the  
16 plaintiffs?

17 A. Yes. Yes, ma'am.

18 Q. So you then -- did you read the list of  
19 books that the plaintiffs are asking the county to put  
20 back on the shelves?

21 A. I did.

22 Q. Okay. Let me take some time to go through  
23 those books with you. The book, Caste: The Origins of  
24 Our Discontent, as far as you know, is there anything  
25 wrong with that book?

1 A. I've never looked at it, so I can't -- I  
2 don't know. As far as I know, that's right, there's  
3 nothing wrong.

4 Q. Okay. As far as you know, Caste: The  
5 Origins of our Discontent has artistic value, belongs  
6 in a library?

7 A. You told me not to guess. I don't know  
8 what's in those, what's in that book.

9 Q. Okay.

10 A. So, ask me that again.

11 Q. As far as you know, does the book, Caste:  
12 The Origins of our Discontent, is, is it -- let me ask  
13 a different question.

14 As far as you know, is that book  
15 pornographic?

16 A. No, I don't know. I don't know. No,  
17 ma'am, it's not as far as I know.

18 Q. The book They Called Themselves the K.K.K.:  
19 The Birth of an American Terrorist Group, as far as you  
20 know, is that book pornographic?

21 A. As far as I know, it's -- it -- I don't  
22 know anything about it.

23 Q. Okay. The book Spinning by Tillie Walden,  
24 as far as you know, is that book pornographic?

25 A. What did you say the name? "Spinning,"

1 with an S-P?

2 Q. Yeah. S-P-I-N-N-I-N-G.

3 A. Once again, I -- I don't know anything  
4 about that book.

5 Q. As far as you know, is there anything  
6 inappropriate about that book?

7 A. No.

8 Q. The book In the Night Kitchen by Maurice  
9 Sendak, as far as you know, is there anything  
10 pornographic about that book?

11 A. No, ma'am. I don't -- I don't know  
12 anything about it either, for the record.

13 Q. The book, It's Perfectly Normal: Changing  
14 Bodies, Growing Up, Sex, and Sexual Health by Robie  
15 Harris, are you familiar with that book?

16 A. Is that two books or is that one book?

17 Q. One book.

18 A. Okay, yes, I am familiar with it.

19 Q. As far --

20 A. Some. But --

21 Q. Okay. As far as you know, does that book  
22 have artistic value, does it belong in a library?

23 A. Another one of those trick questions.  
24 It -- it could belong in the library, yes. Not in the  
25 children's section.



1 Q. As far as you know, is that book  
2 pornography?

3 A. It looks like it to me. There's people  
4 having sex in that book.

5 Q. Yet you think that the book is appropriate  
6 to have in the adult section of a library?

7 A. Yes, ma'am, I guess so.

8 Q. The book, My Butt Is So Noisy!, I Broke My  
9 Butt!, and I Need a New Butt!, they're three books,  
10 we've talked about the butt books a lot this afternoon,  
11 do you think that those books are pornographic?

12 A. They're awful close. That's a -- that's a  
13 I guess yes, ma'am; I guess, yes, ma'am.

14 Q. Do you think those books belong in a  
15 library?

16 A. I don't know if -- they don't belong in the  
17 children's section. They -- they could be in the adult  
18 section.

19 Q. Okay. So they have some -- some artistic  
20 value such that they belong in the library, would you  
21 agree with that?

22 A. I don't know if they have any artistic  
23 value, but --

24 Q. But they belong in the adult section?

25 A. That would be my opinion, yes, ma'am.

1 Q. Okay. Larry the Farting Leprechaun, Gary  
2 the Goose and His Gas on the Loose, Freddie the Farting  
3 Snowman and Harvey the Heart Has Too Many Farts, are  
4 you familiar with those books?

5 A. I am not. I have heard about them, the  
6 fart books, but I don't know what's in them. I don't  
7 know the content.

8 Q. So as far as you know, are those books  
9 pornographic?

10 A. As far as I know, they're not. I haven't  
11 looked at them.

12 Q. As far as you know, they belong in a  
13 library?

14 A. Just from my knowledge, I -- I don't know  
15 how to answer that question. I don't know what belongs  
16 in a library and what isn't. I guess as far as I know,  
17 there's nothing that would keep them from being in a  
18 library.

19 Q. What do you think should keep a book from  
20 being in a library?

21 A. I don't know. That's what I just said. I  
22 don't know what would -- should keep a book from being  
23 at the library. I really don't. Just, there are  
24 sections for a reason, in my opinion.

25 Q. In your opinion - and this isn't a trick

1 question - but in your opinion, is there any book that  
2 absolutely should not be in the Llano County Public  
3 Library in any section?

4 A. I don't -- I don't guess.

5 Q. Okay. Let's go back to this list.

6 A. Can I make a comment?

7 Q. Oh, of course.

8 A. We only have so much room, though, in our  
9 library. That's all.

10 Q. Okay. The book, Being Jazz: My Life as a  
11 (Transgender) Teen by Jazz Jennings, are you familiar  
12 with that book?

13 A. No, ma'am. I don't -- I haven't seen it.  
14 I don't.

15 Q. So you have no reason to think that that  
16 book is pornographic?

17 A. No, ma'am.

18 Q. The book, Shine by Lauren Myracle, do you  
19 have any reason to believe that book is pornographic?

20 A. I haven't seen it either, no, ma'am.

21 Q. The book, Under the Moon, a Catwoman Tale  
22 by Lauren Myracle, do you have any reason to believe  
23 that book is pornographic?

24 A. I haven't seen it either, no, ma'am.

25 Q. The book, Gabi, a Girl in Pieces by Isabel

1 Quintero, do you have any reason to think that book is  
2 pornographic?

3 A. I haven't seen it either, no, ma'am.

4 Q. And finally, the book Freakboy by Kristen  
5 Elizabeth Clark, do you have any reason to think that  
6 book is pornographic?

7 A. What was the name?

8 Q. Freakboy.

9 A. Like "freak"?

10 Q. It's F-R-E-A-K- --

11 A. Okay.

12 Q. -- B-O-Y.

13 A. No, ma'am, I haven't seen it either.

14 Q. How often does the -- do the members of the  
15 Library Advisory Board come to Commissioners Court  
16 meetings?

17 A. I don't know. They come if there's  
18 something on there and concerning their -- their  
19 advisory board, or if they're recommending something to  
20 us, which is not very often. Some of them may come  
21 for -- for just their knowledge or -- or just to --  
22 just -- just be here. I don't know. I don't know how  
23 often they come.

24 Q. The whole purpose of the Library Advisory  
25 Board is to advise the Commissioners Court on matters

1 involving the library, right?

2 A. Pretty much. Policies, yes, ma'am, pretty  
3 much.

4 Q. The --

5 A. Yes, ma'am.

6 Q. So, how do they do that, generally? How do  
7 they give that advice?

8 A. One would -- I guess they would contact one  
9 of the commissioners or the Judge to have an agenda  
10 item put on, which is how any agenda items are put on  
11 the agenda, and one of them or -- or several of them  
12 maybe would come and explain -- I guess they would come  
13 and explain what it -- what their board talked about or  
14 discussed, and their recommendations.

15 Q. Then how does the Commissioners Court adopt  
16 or not adopt the recommendation, what happens next?

17 A. Well, if it gets on the agenda, if there's  
18 something on the agenda about it, it would either -- it  
19 would take a motion and a second and a vote from --  
20 from members of the Commissioners Court, the five of  
21 us.

22 Q. This year, how many times has the Library  
23 Advisory Board comes to -- come to the Commissioners  
24 Court with a recommendation, a suggestion, anything  
25 that they advised you on?

1 A. I think two. I think they've advised us on  
2 two things.

3 Q. Did the Commissioners Court accept both of  
4 those two things?

5 A. Maybe three.

6 Q. What were those three things?

7 A. I'm thinking.

8 Q. Oh, sorry. Take your time.

9 A. There's a lot more on our agenda besides  
10 library stuff. I guess maybe there was just two. One  
11 was about online reading, online library app, or I  
12 don't know what you would call it, online reading, and  
13 the other was about a -- a policy or maybe their  
14 by-laws, one or the other, I don't remember.

15 Q. So, let's start with the online reading  
16 one. What was the advice that the Advisory Board gave  
17 you, what were they trying to accomplish?

18 A. Just to re -- or to get a -- get a online  
19 reading program.

20 Q. And did the Commissioners Court do what the  
21 library board advised them to do?

22 A. We did, I believe we -- we did, yes, ma'am.

23 Q. What about the second time that the Library  
24 Advisory Board advised the Commissioners Court to do  
25 something, what did you say that was?

1           A.       I -- I think it may have been the by-laws,  
2       they were updating their by-laws or it was something to  
3       do with the library policy, but I'm not exactly sure  
4       without -- without going back and looking in the  
5       records or something, or -- or minutes.   I'm not -- I'm  
6       not exactly sure.

7           Q.       Do you remember whether the -- whether the  
8       Commissioners Court did what the Library Advisory Board  
9       advised them to do?

10          A.       There were some -- I do remember there were  
11       some changes to -- let me think about that a minute.  
12       We didn't do exactly what they recommended. There were  
13       some changes, we made -- we approved a policy or  
14       by-laws, whichever it was, with some changes  
15       recommended by a member of the -- a member or two of  
16       the Commissioners Court.

17          Q.       Are the members of the Library Advisory  
18       Board allowed to talk to librarians and give their  
19       opinions directly about book selection, book placement,  
20       things like that?

21          A.       I missed your --

22                   MR. ROGERS: Objection to speculation.

23          A.       Your mouth was moving before I heard you,  
24       so I'm not sure if I heard all that question.

25       BY MS. LEONIDA:

1 Q. Okay. I'll try again.

2 Are the members of the library board, the  
3 people that are on it, are the members of the library  
4 board allowed to talk to Llano County librarians about  
5 library issues?

6 MR. ROGERS: Objection. Calls for  
7 speculation to the extent it's beyond his personal  
8 knowledge.

9 THE WITNESS: So should I answer?

10 BY MS. LEONIDA:

11 Q. Yes.

12 MR. ROGERS: Yes, go ahead and answer if  
13 you have any knowledge.

14 A. Well, it's the Library Advisory Board, for  
15 one; not library board. And -- and I don't know.  
16 Allowed? I -- I don't know who would tell them they  
17 couldn't. I don't -- I don't understand that. So as  
18 far as I know, they are able to talk about -- to the  
19 library staff or Amber for sure, or head librarian,  
20 Library Director.

21 BY MS. LEONIDA:

22 Q. Okay. So the two ways that the library --  
23 again, correct me if I'm wrong. I just want to make  
24 sure I understand the -- the picture here. There --  
25 one -- one way that the Library Advisory Board could



1 influence what happens in the library is by just  
2 talking to the librarian directly and making  
3 suggestions, right?

4 A. That's, again, I -- I guess, yes, that's --  
5 I'm not -- I can't speak for someone else, so I guess  
6 they could.

7 Q. There's no rule preventing members of the  
8 Library Advisory Board from telling librarians how they  
9 think things should be done, is there?

10 A. It would probably be their -- just their  
11 opinion. There's no -- like I said, the Library  
12 Advisory Board does not have authority to direct  
13 staff -- or to -- to order staff around, no.

14 Q. Is there a rule that prevents members of  
15 the Library Advisory Board from telling staff at a  
16 library how they think things should be done?

17 A. No, they can give their opinions all they  
18 want to, I guess.

19 Q. I guess maybe what I'm asking is like you  
20 were saying that you can't talk to just one other  
21 commissioner because you need a quorum to talk about  
22 commission business, right?

23 A. Okay.

24 Q. Is there any rule like that that prevents  
25 members of the Library Advisory Board from talking to

1 each other or to the librarian?

2 A. As far as I know, there is not because we  
3 are -- we are a government entity, we are a government  
4 body, so, like I said, we have -- we have to publish  
5 our agenda 72 hours ahead of time because we are a  
6 government body. So they are not a government or  
7 decision-making body for the county. So I guess as far  
8 as I know, there is not a rule that says they can't.

9 Q. Okay. So that's one way they can impact  
10 the library. Another way they can impact decisions in  
11 the library is to advise the Commissioners Court about  
12 what they think should be going on in the library,  
13 right?

14 A. Well, what's one way that they can impact  
15 the library?

16 Q. Is it true that one way they can impact the  
17 library is to advise the Commissioners Court about what  
18 they think should be happening in the library?

19 A. Yes, I guess so, yes.

20 Q. Are you familiar with a program called  
21 OverDrive?

22 A. A little bit, yes, ma'am.

23 Q. You had some conversations with Ms. Milum  
24 about that program and getting rid of it?

25 A. Well, we -- yes. Yes. The answer to

1       that's yes.

2           Q.       Okay.   At one point - and let me just see  
3       if you remember before making you look at another email  
4       - at one point after the county decided to get rid of  
5       OverDrive, Ms. Milum asked you whether she should let  
6       library patrons know that they can access OverDrive  
7       through neighboring counties, and you told her not to  
8       promote that program.   Do you remember that?

9           A.       I -- I remember talking to her about  
10       OverDrive, but I don't remember her -- telling her not  
11       to promote that program.

12          Q.       Okay, let me --

13          A.       I don't remember that.

14                   (Marked Deposition Ex. 24)

15       BY MS. LEONIDA:

16          Q.       Okay.   Let me mark as Exhibit 24 an email  
17       from you.   Let me know when you have had a chance to  
18       read that.

19          A.       Sure enough.   Right there.   Should I read  
20       the bottom part of it, too, or just the top?

21          Q.       Whatever you need to help you remember.

22          A.       Yeah, let me -- let me read it some more.

23          Q.       Okay.

24          A.       That looks like that's from me to Amber.   I  
25       see that.

1 Q. And you're telling her, "I don't think you  
2 need to Promote that program," in response to her  
3 question about OverDrive, right?

4 A. Yes.

5 Q. Why did you say that to her?

6 A. I don't know, unless, you know, we don't --  
7 we don't really promote any program or  
8 company county-wide I don't guess. You know, we're a  
9 government entity. You have to take bids and things  
10 like that for other -- for sources. I don't know why I  
11 said that to her. I didn't remember saying it, either.

12 Q. So she wasn't asking to you spend county  
13 money on a program without a bidding process; she was  
14 just asking whether she could tell people that there's  
15 a way to get audiobooks while your system was disabled,  
16 right?

17 A. That's what it seems.

18 Q. And you said that she should not tell  
19 people that they could still use OverDrive to get  
20 audiobooks while your system was disabled, right?

21 A. Well, yeah, but just for the record, I told  
22 people to call Burnet and get on their system and they  
23 could still see OverDrive while ours were disabled, so  
24 I'm -- I'm not sure why I said that.

25 Q. Do you remember who you called to tell them

1 that they should get on OverDrive while -- while Llano  
2 County didn't have access to eBooks and audiobooks?

3 A. Well, it -- it's funny you ask that  
4 question because it was a person that wasn't happy with  
5 their commissioner and -- and I know them also, it was  
6 Terri and Kenny Smarr, and they are -- actually they  
7 are still a member of the Burnet Library and still  
8 access OverDrive I think on a daily basis when they  
9 drive.

10 Q. You said you don't read a lot of your  
11 emails, Mr. Moss?

12 A. No, I don't. I should, I guess, but I --  
13 clearly.

14 Q. Do you usually respond to emails?

15 A. No, ma'am, not very often.

16 Q. What do you do when you get an email, then?  
17 How do you -- how do you address it if you don't write  
18 back?

19 A. Sometimes I will see them be -- see those  
20 people, you know, and sometimes I just don't address it  
21 at all.

22 Q. At some point between when we filed this  
23 lawsuit and today, were you asked to go through your  
24 emails to look for any emails that you might have that  
25 relate to this case?

1 A. Yes, ma'am.

2 Q. What steps did you take to look for those  
3 materials?

4 A. I just went down I don't know how many  
5 emails, all through my email, and anything that had  
6 anything to do with the library stuff, what y'all  
7 recommended or what y'all asked for, I sent it to the  
8 lawyer, sent it to the lawyers.

9 Q. Okay. Did you look through your sent emails?

10 A. Well, they should -- no, because they  
11 should all be attached, I think. I hope. They should  
12 all be attached to the first email I got, you know what  
13 I mean? So if you send me an email - this is my  
14 example - if you send me an email and I responded back,  
15 wouldn't my response be there also when I --

16 Q. So, it sounds like you didn't specifically  
17 look through your sent email folder.

18 A. I don't know if I did or not. I don't  
19 know. You -- you have that email. So someone, I guess  
20 someone did.

21 Q. Okay. Did -- you've been instructed not to  
22 delete any emails from --

23 A. Oh, yeah, I'm not going to delete anything,  
24 no.

25 Q. Okay. I think let us -- let's take a

1 10-minute break and then -- then we'll be back and  
2 we'll be done shortly thereafter.

3 A. Ten minutes?

4 Q. Yeah.

5 A. Is that your decision, or do we get a say  
6 in that?

7 Q. That's my decision. But on the bright  
8 side, I think we'll be done shortly after the 10  
9 minutes.

10 A. I will see you in 10 minutes.

11 Q. Okay.

12 THE VIDEOGRAPHER: We are going off the  
13 record at 3:59 p.m.

14 (Break from 3:59 p.m. until 4:14 p.m.)

15 THE VIDEOGRAPHER: We are going back on the  
16 record at 4:14 p.m.

17 BY MS. LEONIDA:

18 Q. Mr. Moss, how long has Llano County had a  
19 library system?

20 A. As long as I know. I guess forever. I'm  
21 not sure.

22 Q. Is the -- what's the -- what's the point of  
23 having a library system in Llano County, from your  
24 perspective?

25 A. To be educational, but for the kids

1 especially, they do a lot of kids programs at our  
2 libraries, and just educational I guess for the -- for  
3 the people that live here, but mostly kids, I think  
4 that's what -- there's a lot of home-school people now,  
5 lot of home-school people will use the libraries, from  
6 what I understand.

7 Q. Is it free to get a library card?

8 A. I think so, yes, ma'am, I think so.

9 Q. So for the -- at least for the whole time  
10 that you can remember, anybody that lives in Llano  
11 County that can't afford to buy books can go to the  
12 library and read those books for free?

13 A. No, I think it used to -- it was -- it used  
14 to cost and they used to charge a late fee also, but I  
15 don't think that anything's charged now. But it did --  
16 I think -- I'm not sure on the date, but it -- it used  
17 to be -- cost to get a library card, I believe.

18 Q. Do you know how much it used to cost?

19 A. No, ma'am.

20 Q. Was it, like -- do you, if you know, was it  
21 closer to, like, five dollars or a thousand dollars?

22 A. It's not a thousand. I'm not sure. It  
23 shouldn't have been much, if any. I -- I don't  
24 remember at all what it cost.

25 Q. The library also has meeting rooms?



1           A.       I think they each have one meeting room.

2           Q.       Who is allowed to have meetings in those  
3 rooms?

4           A.       I think -- I don't think you can have a  
5 political party or meetings that are private, I think.  
6 So I think pretty much anyone except political parties  
7 and -- and private meetings.

8           Q.       Have the meeting rooms been around as long  
9 as the libraries have been around?

10          A.       As far as I know.

11          Q.       So, for example, people that home-school  
12 their kids can meet in those rooms for that purpose if  
13 they wanted to?

14          A.       I guess they could. I don't know. I don't  
15 think that's against any of the rules there.

16                 MS. LEONIDA: Okay. I don't think I have  
17 any other questions for you.

18                 THE WITNESS: Really? All right. My turn?

19                 MS. LEONIDA: Go ahead.

20                 MR. ROGERS: No, technically it would be  
21 our turn, Commissioner, but I don't have any questions  
22 for you at this time.

23                 THE VIDEOGRAPHER: Okay. We are going off  
24 the record at 4:18 p.m.

25                 (Time noted: 4:18 p.m.)

CHANGES AND SIGNATURE

WITNESS: JERRY DON MOSS

DATE: June 28, 2022

| Page/Line | Change | Reason |
|-----------|--------|--------|
|-----------|--------|--------|

[illegible]

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1 I, JERRY DON MOSS, have read the foregoing  
2 deposition and hereby affix my signature that same is  
3 true and correct, except as noted above.

4  
5 \_\_\_\_\_  
JERRY DON MOSS

6  
7 STATE OF \_\_\_\_\_)

8 COUNTY OF \_\_\_\_\_)

9  
10 Before me \_\_\_\_\_ on this day  
11 personally appeared JERRY DON MOSS, known to me (or  
12 proved to me on the oath of \_\_\_\_\_ or  
13 through \_\_\_\_\_ (description of identity card  
14 or other document)) to be the person whose name is  
15 subscribed to the foregoing instrument and acknowledged  
16 to me that he executed the same for the purposes and  
17 consideration therein expressed.

18 Given under my hand and seal of office this  
19 \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

20  
21 \_\_\_\_\_  
Notary Public in and for the  
22 State of \_\_\_\_\_  
23  
24  
25

REPORTER'S CERTIFICATION

DEPOSITION OF JERRY DON MOSS

June 28, 2022

I, Joseph D. Hendrick, Notary Public and  
Certified Shorthand Reporter in the State of Texas,  
hereby certify to the following:

That the Witness, JERRY DON MOSS, was duly  
sworn by the officer and that the transcript of the  
oral deposition is a true record of the testimony given  
by the witness;

I further certify that pursuant to FRCP  
Rule 30(f)(1) the signature of the deponent:

X was requested by the deponent or  
a party before the completion of the deposition and is  
to be returned within 30 days from date of receipt of  
the transcript;

\_\_\_\_\_ was not requested by the  
deponent or a party before the completion of the  
deposition;

I further certify that the amount of time  
used by each party is as follows:

Ellen V. Leonida - 02:29:42

Sarah Salomon - 00:00:00

Pratik Ghosh - 00:00:00

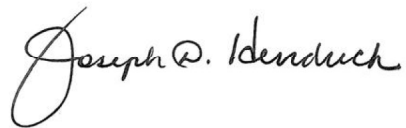
Dwain K. Rogers - 00:00:00

Jonathan F. Mitchell - 00:00:00

I further certify that I am neither counsel for, related to, nor employed by any of the parties or attorneys in the action in which this proceeding was taken;

Further, I am not a relative or employee of any attorney of record, nor am I financially or otherwise interested in the outcome of the action.

Subscribed and sworn to on this date:  
July 3, 2022.



Joseph D. Hendrick, CSR #947

Expiration Date: 04/30/2023

Notary Comm. Exp. 01/13/23

Veritext Legal Solutions

Firm Registration No. 571

300 Throckmorton Street, Ste. 1600

Fort Worth, TX 76102

Telephone (800) 336-4000

1 Mr. Dwain K. Rogers, Esq.

2 drogers@co.llano.tx.us

3 July 3, 2022

4 RE: Leila Green Little vs. Llano County

5 June 28, 2022, Jerry Don Moss (JOB NO. 5299892)

6 The above-referenced transcript has been  
7 completed by Veritext Legal Solutions and  
8 review of the transcript is being handled as follows:

9 \_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) - Contact Veritext  
10 to schedule a time to review the original transcript at  
11 a Veritext office.

12 \_\_\_ Per CA State Code (CCP 2025.520 (a)-(e)) - Locked .PDF  
13 Transcript - The witness should review the transcript and  
14 make any necessary corrections on the errata pages included  
15 below, notating the page and line number of the corrections.  
16 The witness should then sign and date the errata and penalty  
17 of perjury pages and return the completed pages to all  
18 appearing counsel within the period of time determined at  
19 the deposition or provided by the Code of Civil Procedure.

20 \_\_\_ Waiving the CA Code of Civil Procedure per Stipulation of  
21 Counsel - Original transcript to be released for signature  
22 as determined at the deposition.

23 \_\_\_ Signature Waived - Reading & Signature was waived at the  
24 time of the deposition.

25

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1    \_X\_ Federal R&S Requested (FRCP 30(e)(1)(B)) - Locked .PDF

2           Transcript - The witness should review the transcript and  
3           make any necessary corrections on the errata pages included  
4           below, notating the page and line number of the corrections.  
5           The witness should then sign and date the errata and penalty  
6           of perjury pages and return the completed pages to all  
7           appearing counsel within the period of time determined at  
8           the deposition or provided by the Federal Rules.

9    \_\_\_ Federal R&S Not Requested - Reading & Signature was not  
10           requested before the completion of the deposition.

1 Leila Green Little vs. Llano County

2 Jerry Don Moss (JOB NO. 5299892)

3 E R R A T A S H E E T

4 PAGE\_\_\_\_\_ LINE\_\_\_\_\_ CHANGE\_\_\_\_\_

5 \_\_\_\_\_

6 REASON\_\_\_\_\_

7 PAGE\_\_\_\_\_ LINE\_\_\_\_\_ CHANGE\_\_\_\_\_

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9 REASON\_\_\_\_\_

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12 REASON\_\_\_\_\_

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15 REASON\_\_\_\_\_

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18 REASON\_\_\_\_\_

19 PAGE\_\_\_\_\_ LINE\_\_\_\_\_ CHANGE\_\_\_\_\_

20 \_\_\_\_\_

21 REASON\_\_\_\_\_

22 \_\_\_\_\_

23 \_\_\_\_\_

24 WITNESS \_\_\_\_\_ Date \_\_\_\_\_

25



Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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